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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

OWEN DIAZ,  
 Plaintiff,  
 v.  
 TESLA, INC. dba TESLA MOTORS, INC.;  
 Defendant.

Case No. 3:17-cv-06748-WHO

**JOINT STIPULATION REGARDING  
 SCHEDULE AND PROCEDURES FOR  
 POST-TRIAL MOTIONS; ORDER**

Trial Date: March 27, 2023  
 Judgment Entered: April 12, 2023

**TO THE HONORABLE COURT, ALL PARTIES AND THEIR ATTORNEYS OF  
RECORD:**

Pursuant to Civil Local Rules 6-2 and 7-12, Plaintiff Owen Diaz (“Plaintiff”) and Defendant Tesla, Inc. (“Defendant”), by and through their attorneys of record, hereby submit this Joint Stipulation Regarding the schedule and procedures for their anticipated post-trial motions.

**WHEREAS**, on April 11, 2023, the Court entered Judgment in this matter following a verdict in a jury trial (Dkt. 417) that triggered the deadlines for the parties to file various post-trial motions;

**WHEREAS**, each party intends to file one or more motions under Federal Rules of Civil Procedure 50(b) and/or 59;

**WHEREAS**, the parties have met and conferred and agree that judicial economy would be served by agreeing to certain deadlines and procedures for the management of the parties’ anticipated post-trial motions, including regarding the page length limitations for such motions and related briefing, and the schedule for the briefing and hearing on the motions.

**NOW THEREFORE**, it is stipulated by and between the parties that:

(1) Any motions that either party files under Federal Rules of Civil Procedure 50(b) or 59 shall be filed as a single, consolidated post-trial motion;

(2) Any such consolidated motions filed by the parties under Federal Rules of Civil Procedure 50(b) or 59 shall be managed according to the following schedule and page limitations:

a. Each party shall file a single consolidated motions limited to 35 pages by May 9, 2023;

b. Each party shall file a single consolidated opposition limited to 35 pages by June 7, 2023;

c. Each party shall file a single consolidated reply limited to 20 pages by June 30, 2023;

d. Hearing on the parties’ motions shall be scheduled for July 19, 2023 at 2:00 PM, or as soon thereafter as is convenient for the Court.

1 **IT IS SO STIPULATED.**

2 CALIFORNIA CIVIL RIGHTS LAW GROUP  
3 ALEXANDER MORRISON + FEHR LLP

4 DATED: May 4, 2023

By: /s/ Cimone A. Nunley

5 Lawrence A. Organ, Esq.  
6 Cimone A. Nunley, Esq.  
7 J. Bernard Alexander, Esq.  
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11 Dustin L. Collier, Esq.  
12 V. Joshua Socks, Esq.  
13 Elizabeth R. Malay, Esq.  
14 Drew F. Teti, Esq.  
15 Attorneys for Plaintiff  
16 OWEN DIAZ

17 DATED: May 4, 2023

QUINN EMANUEL URQUHART & SULLIVAN, LLP

18 By /s/ Daniel C. Posner

19 Alex Spiro

20 Daniel C. Posner  
21 Mari Henderson  
22 Asher Griffin  
23 Attorneys for Defendant  
24 TESLA, INC.  
25  
26  
27  
28

**ORDER**

Based upon the Parties' Stipulation, and good cause having been shown, **IT IS HEREBY ORDERED THAT:**

(1) Any motion filed by each party under Federal Rules of Civil Procedure 50(b) and/or 59 shall be filed as a single, consolidated post-trial motion;

(2) Any such consolidated motions filed by the parties under Federal Rules of Civil Procedure 50(b) and/or 59 shall be managed according to the following schedule and procedures:

a. Motions limited to 35 pages shall be filed by May 9, 2023;

b. Opposition briefs limited to 35 pages shall be filed by June 7, 2023;

c. Reply briefs limited to 20 pages shall be filed by June 30, 2023.

d. Hearing on the parties' motions shall be scheduled for July 19, 2023 at 2:00 PM, or as soon thereafter as is convenient for the Court.

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: May 8, 2023



Hon. William H. Orrick

**DECLARATION OF CONSENT**

Pursuant to Civil Local Rule 5-1(i)(3) regarding signatures, I attest under penalty of perjury that I obtained concurrence in the filing of this document from above-listed counsel for Defendant Tesla, Inc., which shall serve in lieu of their signature on the document.

Dated: May 4, 2023

By: /s/ Cimone A. Nunley  
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